

From: [Edlund, Carl](#)
To: [Smith, Monica](#)
Cc: [Broyles, Ragan](#); [Gray, David](#)
Subject: Re: west package - let me know what you think. Not sure if we need to send this to kim and others or not for senate hearings. comments by 9 am on Wednesday June 26. Thanks monica
Date: Wednesday, June 26, 2013 6:54:21 AM

Thanks, I had seen a lot of this already. Good summaries. They obviate the need to mention emergency response in Barry's RMP paragraphs. Make sure all info goes through David. And, yes, let's get them to D.C. also.

From: Smith, Monica
Sent: Wednesday, June 26, 2013 5:49:13 AM
To: Edlund, Carl
Cc: Broyles, Ragan
Subject: FW: west package - let me know what you think. Not sure if we need to send this to kim and others or not for senate hearings. comments by 9 am on Wednesday June 26. Thanks monica

Carl – I sent this out to the West Team last night, apologize for not including you. It may have helped you sleep better. This is the fact sheet I was working on to provide to OEM in preparation for the hearings prior to receiving Barry's specific request for scope and timeline of the RMP inspections. The other summaries you have received are solely to address Barry's question about the RMP inspection and scope.

As for our inspection of the West facility, EPA will be conducting its own inspection which will consist of interviews of staff and management. We will also review the information CSB and OSHA include in their reports to determine if there are any actionable violations under CAA 112(r).

From: Smith, Monica
Sent: Tuesday, June 25, 2013 9:01 PM
To: Broyles, Ragan; Petersen, Chris; Webster, Susan; Goodfellow, Bob; Hayes, Mark
Subject: west package - let me know what you think. Not sure if we need to send this to kim and others or not for senate hearings. comments by 9 am on Wednesday June 26. Thanks monica

WEST FERTILIZER, WEST, TEXAS

INCIDENT BACKGROUND:

On April 17, 2013 a fire and explosion occurred at the West Fertilizer plant causing 15 deaths and multiple injuries. The West Fertilizer facility consisted mainly of anhydrous ammonia, ammonia nitrate, and other various agricultural chemicals. The explosion impacted ½ mile radius destroying residential homes, an apartment complex, a nursing home, and several schools. The explosion also impacted the City of West utilities disrupting water and power service to the community. Triages were set up at various locations in the City of West to assist citizens with injuries, while



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search and rescue operations continued throughout the night and into April 18, 2013.

EPA REGION 6 RESPONSE:

EPA responded to West on the evening of April 17, 2013 to investigate along with other Federal, State, and local agencies. The following activities were part of our Emergency Response.

- **EPA Air Monitoring:** EPA conducted 24 hr air monitoring of the surrounding impacted areas while deploying the Airborne Spectral Photometric Collection Technology (ASPECT) aircraft to provide additional support and data collection. Air monitoring was conducted for VOCs, LELs, CO, and ammonia and resulted in early detections as high as 6-10 ppm 650 ft. downwind of the incident location. EPA 24 hr air monitoring continued for several days before being scaled back to day time operations. Generally concentrations for contaminants of concern were not observed above background. TCEQ provided air monitoring during ATF's entire on-site investigation. TCEQ's air monitoring resulted in concentrations below background with slight elevations occurring during site activities and the removal of anhydrous ammonia product from a ruptured tank on site.
- **Coordination with ATF and State Fire Marshall:** ATF deployed agents on April 18, 2013 at the request of The Texas State Fire Marshall to investigate the cause of the fire and explosion. EPA coordinated closely with ATF and the State Fire Marshall providing critical facility information and advising agents of existing environmental hazards during the course of the investigation. ATF maintained control of the site during their investigation and restricted access to ATF and State Fire Marshall representatives. TCEQ provided support to address environmental hazards during ATF's investigation. EPA CID and EPA NCERT worked closely with ATF agents during the course of the investigation.
- **Debris Management Plan:** Many homes, schools, and other commercial buildings would need to be demolished due to the catastrophic impact from the explosion. FEMA was requested by the City to provide assistance with a debris management plan. EPA coordinated with FEMA, state, and local agencies to ensure the proper development and implementation of the City of West's debris management plan. EPA also ensured the proper implementation of procedures in accordance with NESHAP federal regulations for building demolitions and assessments.
- **Cleanup Oversight Conducted by State of Texas:** TCEQ is currently taking the lead on providing oversight of cleanup operations. EPA continues to coordinate with TCEQ to ensure that all remaining hazards on and off site are properly removed and disposed of. TCEQ was able to stabilize offsite impacts from storm water runoff events by removing and disposing of contaminated soils.

The insurance company that provided coverage for Adair Grain/West Fertilizer Company has hired Crane Engineering to coordinate with other interested parties (insurance companies, vendors, engineers, attorneys etc.) to allow for additional inspections and coordination to reclaim items. TCEQ will oversee Crane Engineering's removal action of the ammonia nitrate, tentatively scheduled for July 12. TCEQ will maintain the lead in providing oversight and conducting potential removal actions. EPA will coordinate with TCEQ as needed.

ENFORCEMENT HISTORY

- The EPA On-line Tracking Information System (OTIS) has 3 reports for West Fertilizer. One is under the name of Adair Grain DBA West Fertilizer. There were no inspections or enforcement listed in these reports, which go back 5 years
- **2006 RMP Inspection:**
EPA Region 6 conducted a Risk Management Plan (RMP) inspection at the non-title V West Chemical & Fertilizer Co. on March 16, 2006. The inspection included a walkthrough of the plant to observe the processes and the equipment, as well as a review of the facilities RMP and associated records. The inspection was conducted by one of the Region's RMP inspectors, using the National RMP Program's Level 2 inspection checklist. The checklist used included all modifications incorporated by OECA through March 14, 2005. Violations identified by the inspector included:
 - failure to timely update the RMP (the update due on 2004 had not been submitted), including updating the Hazard Assessment and Hazard Review,
 - failure to include consequences of deviation in operating procedures,
 - failure to properly document new operator training, and
 - failure to develop a formal mechanical integrity program, and failure to conduct compliance audits.

In accordance with the approved penalty policy and matrix which was in place in 2006, on June 5, 2006 the Region issued a proposed Expedited Settlement Agreement (ESA) assessing a penalty of \$2,300 to West Chemical & Fertilizer Co. West Chemical & Fertilizer submitted its updated RMP on July 7, 2006, paid the penalty and the ESA was issued final August 14, 2006.

- Aside from the fines associated with the violations noted through the 2006 RMP inspection, no other actions have been taken by EPA against this company for this facility.

RMP/ROOT CAUSE INSPECTION:

- The Region 6 RMP inspectors conducted a reconnaissance visit of the site within days of the explosion. The Region's understanding that all records including the

RMP, were in the facility which was destroyed by the explosion. Thus, the RMP/root cause inspection will be limited to interviews of the West Fertilizer management and employees. The RMP inspectors will conduct the root cause/after action inspection once CSB and OSHA have completed their on-site investigations and interviews.

- EPA Region 6 has coordinated with CSB and OSHA throughout their investigation. All parties have agreed to share their findings. EPA RMP inspectors will review the OSHA and CSB report findings to determine if there are any actionable violations under CAA 112 (r). OSHA, per a letter dated June 19, 2013, was planning to travel to the site on June 24 to further their investigation.

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